

Bureau of Land Management, Interior

§ 1821.10

PART 1820—APPLICATION PROCEDURES

Subpart 1821—General Information

Sec.

1821.10 Where are BLM offices located?

1821.11 During what hours may I file an application?

1821.12 Are these the only regulations that will apply to my application or other required document?

1821.13 What if the specific program regulations conflict with these regulations?

Subpart 1822—Filing a Document with BLM

1822.10 How should my name appear on applications and other required documents that I submit to BLM?

1822.11 What must I do to make an official filing with BLM?

1822.12 Where do I file my application or other required documents?

1822.13 May I file electronically?

1822.14 What if I try to file a required document on the last day of the stated period for filing, but the BLM office where it is to be filed is officially closed all day?

1822.15 If I miss filing a required document or payment within the specified period, can BLM consider it timely filed anyway?

1822.16 Where do I file an application that involves lands under the jurisdiction of more than one BLM State Office?

1822.17 When are documents considered filed simultaneously?

1822.18 How does BLM decide in which order to accept documents that are simultaneously filed?

Subpart 1823—Payments and Refunds

1823.10 How may I make my payments to BLM?

1823.11 What is the authority for BLM issuing a refund of a payment?

1823.12 When and how may I obtain a refund?

1823.13 Is additional documentation needed when a third party requests a refund?

Subpart 1824—Publication and Posting of Notices

1824.10 What is a publication?

1824.11 How does BLM choose a newspaper in which to publish a notice?

1824.12 How many times must BLM publish a notice?

1824.13 Who pays for publication?

1824.14 Does the claimant or applicant pay for an error by the printer of the paper in which the notice appears?

1824.15 What does it mean to post a notice?

1824.16 Why must I post a notice?

1824.17 If I must post a notice on the land, what are the requirements?

Subpart 1825—Relinquishments

1825.10 If I relinquish my interest (such as a claim or lease) in public lands, am I relieved of all further responsibility associated with that interest?

1825.11 When are relinquishments effective?

1825.12 When does relinquished land become available again for other application or appropriation?

AUTHORITY: 5 U.S.C. 552, 43 U.S.C. 2, 1201, 1733, and 1740.

SOURCE: 64 FR 53215, Oct. 1, 1999, unless otherwise noted.

Subpart 1821—General Information

§ 1821.10 Where are BLM offices located?

(a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices and their respective geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION

Alaska State Office, 222 West 7th Avenue, #13, Anchorage, Alaska 99513-7599—Alaska.

Arizona State Office, One North Central Avenue, Phoenix, Arizona 85004-2203—Arizona.

California State Office, 2800 Cottage Way, Room W-1834, Sacramento, California 95825-1886—California.

Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215-7093—Colorado.

Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153—Arkansas, Iowa, Louisiana, Minnesota, Missouri, and States east of the Mississippi River.

Idaho State Office, 1387 South Vinnell Way, Boise, Idaho 83709-1657—Idaho.

Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669—Montana, North Dakota and South Dakota.

Nevada State Office, 1340 Financial Boulevard, Reno, Nevada 89502-7147, P.O. Box 12000, Reno, Nevada 89520-0006—Nevada.

New Mexico State Office, 310 Dinosaur Trail, Santa Fe, NM 87508, P.O. Box 27115, Santa Fe, New Mexico 87502-0115—Kansas, New Mexico, Oklahoma, and Texas.

Oregon/Washington State Office, 1220 SW. 3rd Avenue, Portland, Oregon 97204, P.O. Box

§ 1821.11

2965, Portland, Oregon 97208—Oregon and Washington.
Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, Utah 84101-1345.
Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009, P.O. Box 1828, Cheyenne, Wyoming 82003—Wyoming and Nebraska.

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

[64 FR 53215, Oct. 1, 1999, as amended at 66 FR 28672, May 24, 2001; 67 FR 30329, May 6, 2002; 68 FR 18554, Apr. 16, 2003; 70 FR 45313, Aug. 5, 2005; 70 FR 69688, Nov. 17, 2005; 71 FR 10846, Mar. 3, 2006; 72 FR 6480, Feb. 12, 2007; 78 FR 35571, June 13, 2013; 78 FR 46527, Aug. 1, 2013]

§ 1821.11 During what hours may I file an application?

You may file applications or other documents or inspect official records during BLM office hours. Each BLM office will prominently display a notice of the hours during which that particular office will be open. Except for offices which are open periodically, for example, every Wednesday or the 3rd Wednesday of the month, all offices will be open Monday through Friday, excluding Federal holidays, at least from 9 a.m. to 3 p.m., local time.

§ 1821.12 Are these the only regulations that will apply to my application or other required document?

No. These general regulations are supplemented by specific program regulations. You should consult the regulations applying to the specific program.

§ 1821.13 What if the specific program regulations conflict with these regulations?

If there is a conflict, the specific program regulations will govern and the conflicting portion of these regulations will not apply.

43 CFR Ch. II (10–1–15 Edition)

Subpart 1822—Filing a Document with BLM

§ 1822.10 How should my name appear on applications and other required documents that I submit to BLM?

Your legal name and current address should appear on your application and other required documents.

§ 1822.11 What must I do to make an official filing with BLM?

You must file your application and any other required documents during regular office hours at the appropriate BLM office having jurisdiction over the lands or records involved. You must file any document with BLM through personal delivery or by mailing via the United States Postal Service or other delivery service, except for those applications that may be filed electronically under § 1822.13, unless a more specific regulation or law specifies the mode of delivery. The date of mailing is not the date of filing.

§ 1822.12 Where do I file my application or other required documents?

You should file your application or other required documents at the BLM office having jurisdiction over the lands or records involved. The specific BLM office where you are to file your application is usually referenced in the BLM regulations which pertain to the filing you are making. If the regulations do not name the specific office, or if you have questions as to where you should file your application or other required documents, contact your local BLM office for information and we will tell you which BLM office to file your application.

§ 1822.13 May I file electronically?

For certain types of applications, BLM will accept your electronic filing if an original signature is not required. If BLM requires your signature, you must file your application or document by delivery or by mailing. If you have any questions regarding which types of applications can be electronically filed, you should check with the BLM office where you intend to file your application. When you file an application electronically, it will not be considered filed until BLM receives it.

Bureau of Land Management, Interior

§ 1823.13

§ 1822.14 What if I try to file a required document on the last day of the stated period for filing, but the BLM office where it is to be filed is officially closed all day?

BLM considers the document timely filed if we receive it in the office on the next day it is officially open.

§ 1822.15 If I miss filing a required document or payment within the specified period, can BLM consider it timely filed anyway?

BLM may consider it timely filed if:

- (a) The law does not prohibit BLM from doing so;
- (b) No other BLM regulation prohibits doing so; and
- (c) No intervening third party interests or rights have been created or established during the intervening period.

§ 1822.16 Where do I file an application that involves lands under the jurisdiction of more than one BLM State Office?

You may file your application with any BLM State Office having jurisdiction over the subject lands. You should consult the regulations of the particular BLM resource program involved for more specific information.

§ 1822.17 When are documents considered filed simultaneously?

(a) BLM considers two or more documents simultaneously filed when:

- (1) They are received at the appropriate BLM office on the same day and time; or
- (2) They are filed in conjunction with an order that specifies that documents received by the appropriate office during a specified period of time will be considered as simultaneously filed.

(b) An application or document that arrives at the BLM office where it is to be filed when the office is closed for the entire day will be considered as filed on the day and hour the office next officially opens.

(c) Nothing in this provision will deny any preference right granted by applicable law or regulation or validate a document which is invalid under applicable law or regulation.

§ 1822.18 How does BLM decide in which order to accept documents that are simultaneously filed?

BLM makes this decision by a drawing open to the public.

Subpart 1823—Payments and Refunds

§ 1823.10 How may I make my payments to BLM?

Unless specific regulations provide otherwise, you may pay by:

- (a) United States currency; or
- (b) Checks, money orders, or bank drafts made payable to the Bureau of Land Management; or
- (c) Visa or Master Card credit charge, except as specified by pertinent regulation(s).

§ 1823.11 What is the authority for BLM issuing a refund of a payment?

BLM can issue you a refund under the authority of section 304(c) of the Federal Land Policy and Management Act, 43 U.S.C. 1734.

§ 1823.12 When and how may I obtain a refund?

(a) In making a payment to BLM, if the funds or fees you submitted to BLM exceed the amount required or if the regulations provide that fees submitted to BLM must be returned in certain situations, you may be entitled to a full or partial refund.

(b) If you believe you are due a refund, you may request it from the BLM office where you previously submitted your payment. You should state the reasons you believe you are entitled to a refund and include a copy of the appropriate receipt, canceled check, or other relevant documents.

§ 1823.13 Is additional documentation needed when a third party requests a refund?

Yes. When refund requests are made by heirs, executors, administrators, assignees, or mortgagees, BLM may require additional documentation sufficient to establish your entitlement to a refund. If you are an heir, executor, administrator, assignee or mortgagee, you should contact the BLM office

§ 1824.10

where you will file your refund application for information regarding appropriate documentation.

Subpart 1824—Publication and posting of notices

§ 1824.10 What is publication?

Publication means publishing a notice announcing an event or a proposed action in the FEDERAL REGISTER, a local newspaper of established character and general circulation in the vicinity of the land affected or other appropriate periodical. BLM's purpose in publishing or requiring the publication of such information is to advise you and other interested parties that some action will occur and that the public is invited either to participate or to comment.

§ 1824.11 How does BLM choose a newspaper in which to publish a notice?

BLM bases its choice of newspapers on their reputation and frequency and level of circulation in the vicinity of the public or private lands involved.

§ 1824.12 How many times must BLM publish a notice?

The number of times that BLM will publish or cause to be published a notice depends on the publication requirements for the particular action involved. You should see the applicable law and the regulations governing specific BLM resource programs for information on the requirements for publication for a particular action.

§ 1824.13 Who pays for publication?

The cost of publication is the responsibility of the claimant or applicant.

§ 1824.14 Does the claimant or applicant pay for an error by the printer of the paper in which the notice appears?

No. The claimant or applicant is not responsible for costs involved in correcting an error by the printer.

§ 1824.15 What does it mean to post a notice?

Posting a notice is similar to publishing a notice except that the notice is displayed at the appropriate BLM of-

43 CFR Ch. II (10–1–15 Edition)

fice, local courthouse or similar prominent local government building or on a prominent fixture such as a building, tree or post located on the particular public lands involved.

§ 1824.16 Why must I post a notice?

The posting of a notice informs those persons who may be interested in the lands or resources described, who have relevant information to provide, or who may wish to oppose the proposal.

§ 1824.17 If I must post a notice on the land, what are the requirements?

The posted notice must be visible throughout the time period for posting specified in the regulations governing the relevant program. BLM or its regulations may require additional posting, such as in a post office or city hall. For any additional posting requirements, you should see applicable Federal and State law, the regulations of the particular BLM resource program and any additional BLM requirements associated with your application.

Subpart 1825—Relinquishments

§ 1825.10 If I relinquish my interest (such as a claim or lease) in public lands, am I relieved of all further responsibility associated with that interest?

No. You are still responsible for fulfilling any regulatory, statutory, lease, permit and other contractual obligations that apply, such as performance of reclamation and payment of rentals accruing before the time of relinquishment. You should see the regulations relating to the specific BLM resource program involved for more detailed information.

§ 1825.11 When are relinquishments effective?

Generally, BLM considers a relinquishment to be effective when it is received, along with any required fee, in the BLM office having jurisdiction of the lands being relinquished. However, the specific program regulations govern effectiveness of relinquishments.

Bureau of Land Management, Interior

Pt. 1860

§ 1825.12 When does relinquished land become available again for other application or appropriation?

Relinquished land may not again become available until BLM notes the filed relinquishment of an interest on the land records maintained by the BLM office having jurisdiction over the lands involved. If you have any questions regarding the availability of a particular tract of land, you should contact the BLM office having jurisdiction over the lands or records.

PART 1840—APPEALS PROCEDURES

AUTHORITY: R.S. 2478, as amended; 43 U.S.C. 1201.

§ 1840.1 Cross reference.

For special procedural rules applicable to appeals from decisions of Bureau of Land Management officers or of administrative law judges, within the jurisdiction of the Board of Land Appeals, Office of Hearings and Appeals, see subpart E of part 4 of this title. Subpart A of part 4 and all of the general rules in subpart B of part 4 of this title not inconsistent with the special rules in subpart E of part 4 of this title are also applicable to such appeals procedures.

[36 FR 15119, Aug. 13, 1971]

PART 1850—HEARINGS PROCEDURES

Subpart 1850—Hearing Procedures; General

AUTHORITY: R.S. 2478, as amended; 43 U.S.C. 1201.

§ 1850.1 Cross reference.

For special procedural rules applicable to hearings in public lands cases, including hearings under the Federal Range Code for Grazing Districts and hearings in both Government and private contest proceedings, within the jurisdiction of the Board of Land Appeals, Office of Hearings and Appeals, see subpart E of part 4 of this title. Subpart A of part 4 and all of the general rules in subpart B of part 4 of this title not inconsistent with the special

rules in subpart E of part 4 of this title are also applicable to such hearings, contest, and protest procedures.

[36 FR 15119, Aug. 13, 1971]

PART 1860—CONVEYANCES, DISCLAIMERS AND CORRECTION DOCUMENTS

Subpart 1862 [Reserved]

Subpart 1863—Other Title Conveyances

Sec.

1863.5 Title transfer to the Government.

1863.5-1 Evidence of title.

Subpart 1864—Recordable Disclaimers of Interest in Land

1864.0-1 Purpose.

1864.0-2 Objectives.

1864.0-3 Authority.

1864.0-5 Definitions.

1864.1 Application for issuance of a document of disclaimer.

1864.1-1 Filing of application.

1864.1-2 Form of application.

1864.1-3 Action on application.

1864.1-4 Consultation with other Federal agencies.

1864.2 Decision on application.

1864.3 Issuance of document of disclaimer.

1864.4 Appeals.

Subpart 1865—Correction of Conveyancing Documents

1865.0-1 Purpose.

1865.0-2 Objective.

1865.0-3 Authority.

1865.0-5 Definitions.

1865.1 Application for correction of conveyancing documents.

1865.1-1 Filing of application.

1865.1-2 Form of application.

1865.1-3 Action on application.

1865.2 Issuance of corrected patent or document of conveyance.

1865.3 Issuance of patent or document of conveyance on motion of authorized officer.

1865.4 Appeals.

Subpart 1862 [Reserved]

Subpart 1863—Other Title Conveyances

AUTHORITY: R.S. 2478; 43 U.S.C. 1201.